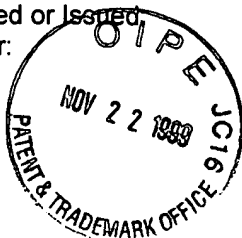


## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant or Patentee: Hiroshi Kawabata et al.  
 Serial or Patent No.: 09/358,755  
 Filed or Issued: July 22, 1999  
 For: Nucleic Acid Encoding Transferrin  
 Receptor-Like Proteins and Products  
 Related Thereto

Group No.: --  
 Examiner: --



**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS**  
**(37 C.F.R. 1.9(c-f) and 1.27 (b-d))**

**I. IDENTIFICATION OF PERSON MAKING STATEMENT AND RIGHTS AS A SMALL ENTITY**

I hereby state that I am:

**(a) Independent Inventor**

☐ a below-named independent inventor, and that I qualify as an independent inventor, as defined in 37 C.F.R. 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled \_\_\_\_ described in:

☐ the specification filed herewith  
☐ Application Serial No. \_\_\_\_, filed \_\_\_\_  
☐ Patent No. \_\_\_\_, issued \_\_\_\_

**(b) Non-Inventor Supporting a Claim by Another**

☐ making this statement to support a claim by \_\_\_\_ for a small entity status for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code. I hereby state that I should qualify as an independent inventor as defined in 37 C.F.R. 1.9(c) for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, if I had made the invention entitled \_\_\_\_ described in:

☐ the specification filed herewith  
☐ Application Serial No. \_\_\_\_, filed \_\_\_\_  
☐ Patent No. \_\_\_\_, issued \_\_\_\_

**(c) Small Business Concern**

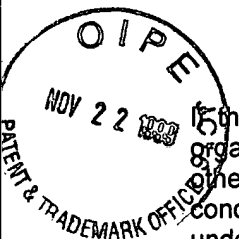
☐ the owner of the small business concern identified below.  
☐ an official of the small business concern empowered to act on behalf of the concern identified below.

NAME OF CONCERN  
 ADDRESS OF CONCERN

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. 121.3-18, and reproduced in 37 C.F.R. 1.9(d), for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract of law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled \_\_\_\_ by inventor(s) \_\_\_\_ described in:

- ☐ the specification filed herewith  
☐ Application Serial No. \_\_\_\_, filed \_\_\_\_  
☐ Patent No. \_\_\_\_, issued \_\_\_\_



If the right held by the above-identified small business concern is not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 C.F.R. 1.9(d) or by any concern which would not qualify as a small business concern under 37 C.F.R. 1.9(d) or a nonprofit organization under 37 C.F.R. 1.9(e).

**(d) Non-Profit Organization**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF CONCERN                      Cedars-Sinai Medical Center  
ADDRESS OF CONCERN                8700 Beverly Blvd., Los Angeles, CA 90048

**TYPE OF ORGANIZATION**

- ☐ University or Other Institution of Higher Education  
☒ Tax Exempt Under Internal Revenue Service Code (26 U.S.C. 501(a) and 501(c)(3))  
☐ Nonprofit Scientific or Educational Under Statute of State of the United States of America  
Name of State \_\_\_\_  
Citation of Statute \_\_\_\_  
☐ Would Qualify as Tax Exempt Under Internal Revenue Service Code (26 U.S.C. 501(a) and 501(c)(3)), if located in the United States of America  
☐ Would Qualify as Nonprofit Scientific or Educational Under Statute of State of the United States of America if Located in the United States of America  
Name of State \_\_\_\_  
Citation of Statute \_\_\_\_

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization, as defined in 37 C.F.R. 1.9(e), for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, with regard to the invention entitled Nucleic Acid Encoding Transferrin Receptor-Like Proteins and Products Related Thereto by inventor(s) Hiroshi Kawabata; H. Phillip Koeffler described in:

- ☐ the specification filed herewith  
☒ Application Serial No. 09/358,755, filed July 22, 1999  
☐ Patent No. \_\_\_\_, issued \_\_\_\_

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 C.F.R. 1.9(d) or by any concern which would not qualify as a small business concern under 37 C.F.R. 1.9(d) or a nonprofit organization under 37 C.F.R. 1.9(e).

**II. OWNERSHIP OF INVENTION BY DECLARANT**

I hereby declare that rights under contract or law remain with and/or have been conveyed to the above-identified

- ☐ individual    ☐ small business concern    ☒ nonprofit organization  
(item (a) or (b) above)    (item (c) above)    (item (d) above)

EXCEPT, that if the rights held are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held (1) by any individual who could not be classified as an independent

inventor under 37 C.F.R. 1.9(c) if that individual had made the invention, (2) any concern which would not qualify as a small business concern under 37 C.F.R. 1.9(d) or (3) a nonprofit organization under 37 C.F.R. 1.9(e).

- ☒ no such person, concern or organization  
☐ the person, concern or organization listed below\*

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. 1.27)

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

### III. ACKNOWLEDGMENT OF DUTY TO NOTIFY PTO OF STATUS CHANGE

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. 1.28(b)).

### IV. DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

### V. SIGNATURES

(complete only (e) or (f) below)

(e) (NOTE: All inventors must sign the statement.)

\_\_\_\_\_  
Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Inventor

\_\_\_\_\_  
Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Inventor

\_\_\_\_\_  
Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Inventor

(f) (NOTE: The title of the person signing on behalf of a concern or nonprofit organization should be specified.)

NAME OF PERSON SIGNING

Peter E. Braveman

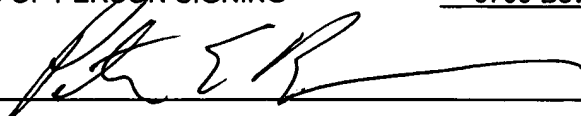
TITLE OF PERSON OTHER THAN OWNER

Senior Vice President Legal Affairs and General Counsel

ADDRESS OF PERSON SIGNING

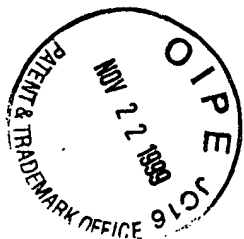
8700 Beverly Blvd., Los Angeles, CA 90048-1865

SIGNATURE



DATE

11/16/99



DECLARATION

☒ ORIGINAL  
☐ CONTINUATION  
☐ DIVISIONAL

As a below named inventor, I declare that the information given herein is true, that I believe that I am the original, first and sole inventor (if only one name is listed as 1 below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

NUCLEIC ACID ENCODING TRANSFERRIN RECEPTOR-LIKE PROTEINS AND PRODUCTS RELATED THERETO

the specification of which is attached hereto unless the following box is checked:

☒ was filed on July 22, 1999 as United States Application Number or PCT International Application Number 09/358,755 and was amended on \_\_\_\_\_

My residence, post office address and citizenship are as stated below next to my name.

I acknowledge my duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations § 1.56(a). I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

COUNTRY	APPLICATION NUMBER	DATE OF FILING Month Day Year	PRIORITY CLAIMED UNDER 35 U.S.C. 119
U.S.	60/107,502	11/06/98	Yes

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

(Application Serial No.) (Filing Date) (Status)

Send correspondence to: **LOEB & LOEB LLP**  
10100 Santa Monica Blvd.  
Los Angeles, CA 90067-4164

DIRECT TELEPHONE CALLS TO: **Wei-Ning Yang**  
310-282-2000

(Please Print)

1	Name of Inventor Hiroshi Kawabata	Residence: CITY Los Angeles	STATE or COUNTRY California
	Post Office Address 2500 Amherst Avenue, Los Angeles, CA 90084		CITIZENSHIP Japan
2	Name of Inventor H. Phillip Koefler	Residence: CITY Los Angeles	STATE or COUNTRY California
	Post Office Address 13141 Rivers Road, Los Angeles, CA 90049		CITIZENSHIP U.S.A.
3	Name of Inventor	Residence: CITY	STATE or COUNTRY
	Post Office Address		CITIZENSHIP
4	Name of Inventor	Residence: CITY	STATE or COUNTRY
	Post Office Address		CITIZENSHIP

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 1 <i>Hiroshi Kawabata</i>	SIGNATURE OF INVENTOR 2 <i>[Signature]</i>
DATE 11/16/99	DATE 11/16/99
SIGNATURE OF INVENTOR 3	SIGNATURE OF INVENTOR 4
DATE	DATE